IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1202 OF 2005

Smt.Kalpana M. Achari & Ors. ..Petitioners.

V/s.

The State of Maharashtra. ..Respondent.

Mr.S.P.Kadam, for petitioners.

Mr.Ejaz Khan, Spl. P.P. for C.B.I.

CORAM: A.M.KHANWILKAR,J

DATE : DECEMBER 7, 2005.

P.C. :

1. Heard counsel for the parties. Perused the relevant documents produced by the petitioners as well as reply affidavit filed.

2. I see no reason to depart from the view taken by the court below that there is sufficient material on record to incriminate the applicants and grave suspicion arises about their involvement in the commission of the alleged crime. Hence, not a case for interference.

3. Counsel for the petitioners however contends that persons who are similarly situated like the applicants have been made prosecution witnesses and

no plausible explanation is coming forward as to why the petitioners have been named as accused. That cannot be the basis for discharge.

3. Suffice it to observe, there is sufficient material on record to proceed against the petitioners. Hence this petition should fail. Dismissed.